

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT**

**AARON RITTER,
Plaintiff**

v.

**APPALACHIAN REGIONAL
HOSPITAL and DR. FRANCIS,
Defendants**

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File No. 1:06-CV-98

ORDER

The Magistrate Judge's Report and Recommendation was filed December 5, 2006 (Paper 15). After de novo review and over objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1). Appalachian Regional Hospital's Motion to Dismiss (Paper 8) is DENIED without prejudice. The Court hereby transfers the instant action to the United States District Court for the Eastern District of Kentucky, pursuant to 28 U.S.C. § 1404.

WHEREFORE, it is hereby

ORDERED, that the Clerk of Court transfer this action to the United States District Court for the Eastern District of Kentucky; and it is further

ORDERED, that ten (10) days after the date of the service of this Order, the Clerk is instructed to notify the Clerk of the United States District Court for the Eastern District of Kentucky, by sending a certified copy of this Order, along with a letter that provides instructions for obtaining a read-only, court user account for use

in obtaining (retrieving) the electronic record of this case from the District's CM/ECF database; and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties by regular mail.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont this 25th day of January, 2007.

/s/ J. Garvan Murtha
J. Garvan Murtha
United States District Judge